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Attorneys for Plaintiffs
BYRON CHAPMAN
and DISABILITY RIGHTS
ENFORCEMENT, EDUCATION
SERVICES: HELPING YOU
HELP OTHERS

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BYRON CHAPMAN, an individual; and)
DISABILITY RIGHTS ENFORCEMENT,)
EDUCATION SERVICES:HELPING)
YOU HELP OTHERS, a California public)
benefit corporation,)

Plaintiffs,)

v.)

DAVIS ORTHOPEDIC BUILDING)
PARTNERS; and JAMES)
CUNNINGHAM & MARGARET)
CUNNINGHAM, as trustees of the)
CUNNINGHAM TRUST,)

Defendants.)

CASE NO. CIV.S04-1668 WBS GGH

**STIPULATION AND [PROPOSED]
ORDER CONTINUING THE PRE-TRIAL
CONFERENCE**

Plaintiffs BYRON CHAPMAN, an individual; and DISABILITY RIGHTS
ENFORCEMENT, EDUCATION SERVICES: HELPING YOU HELP OTHERS, a California
public benefit corporation, through their undersigned counsel, and defendants DAVIS
ORTHOPEDIC BUILDING PARTNERS; and JAMES CUNNINGHAM & MARGARET

CUNNINGHAM, as trustees of the CUNNINGHAM TRUST, through their undersigned counsel, stipulate, and respectfully request as follows:

1. WHEREAS the parties are diligently working to settle this matter informally; and

2. WHEREAS a Pre-trial conference is on calendar for Monday, January 17, 2006; and

3. WHEREAS the parties wish to avoid burdening the Court's time unnecessarily, as well as avoid incurring any further expenses when a settlement may be imminent;

4. THEREFORE, the parties stipulate and respectfully request that the Pre-trial conference be continued to February 20, 2006, or some date thereafter, as is convenient for the Court, and the deadlines to file Pre-trial documents be continued in accordance with Local Rule 16-281.

IT IS SO STIPULATED.

DATED: January 4, 2006

THOMAS E. FRANKOVICH,
A PROFESSIONAL LAW CORPORATION

By: /s/ Julia M. Adams
Julia M. Adams
Attorneys for Plaintiffs BYRON CHAPMAN and
DISABILITY RIGHTS ENFORCEMENT,
EDUCATION SERVICES

DATED: January 4, 2006

BOUTIN, DENTINO, GIBSON, DI GIUSTO &
HODELL, INC.

By: /s/ Michael E. Chase
Michael E. Chase
Attorneys for Defendant JAMES
CUNNINGHAM, as trustee of the
CUNNINGHAM FAMILY TRUST

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3 DATED: January 4, 2006

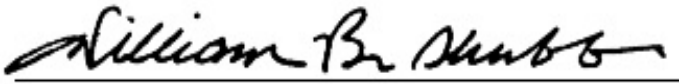
PORTER, SCOTT, WEIBERG & DELEHANT

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5 By: /s/ Laura J. Marabito
6 Laura Marabito
7 Attorney for Defendants DAVIS ORTHOPEDIC
8 BUILDING PARTNERS

9 **ORDER**

10 IT IS HEREBY ORDERED that the Pre-trial conference shall be continued from
11 January 17, 2006, to February 17, 2006 at 10:00 am, and the deadlines to file Pre-trial
12 documents be continued in accordance with Local Rule 16-281.

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14 Dated: January 6, 2006

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16 WILLIAM B. SHUBB
17 UNITED STATES DISTRICT JUDGE
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